

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
LUIGI ABREU,

Plaintiff,

-against-

TANCEUTICALS, LLC,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/30/2022

22 Civ. 1786 (AT)

ORDER

On March 24, 2022, Plaintiff filed an executed summons. ECF No. 8. Based on the date the summons was served, Defendant was required to answer or otherwise respond to the complaint by April 7, 2022. *Id.* Defendant failed to do so. Therefore, on April 15, 2022, Plaintiff requested a clerk's certificate of default. ECF No. 9. Shortly thereafter, Defendant contacted Plaintiff. ECF No. 12. On May 6, 2022, Defendant appeared in this action and filed a notice of service of an offer of judgment. ECF Nos. 14–15. Under Federal Rule of Civil Procedure 68, an offer of judgment expires after fourteen days. That time has expired. On June 1, 2022, Plaintiff informed the Court that defense counsel had indicated that “Defendant would not be filing an answer or responsive pleading to the Complaint.” ECF No. 16. The Court then ordered Defendant to answer or otherwise respond to the complaint by June 15, 2022. ECF No. 19. The Court warned that failure to answer or otherwise respond to the complaint could result in entry of a default judgment against Defendant. *Id.* Defendant again failed to answer or otherwise respond to the complaint despite the Court's order. Because Defendant has “failed to plead or otherwise defend” against this action, Plaintiff may move for a default judgment. Fed. R. Civ. P. 55(a).

Accordingly, by **July 15, 2022**, Plaintiff shall move for a default judgment in accordance with Attachment A of the Court's Individual Practices in Civil Cases.

SO ORDERED.

Dated: June 30, 2022
New York, New York



ANALISA TORRES
United States District Judge